

PATENT

DOCKET NO. 3610-20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: **Stephan JAMES, ET AL.**

International Application No. PCT/EP00/07675

International Filing Date: 3/AUGUST/2000

U.S. Serial No: 10/049,462

Filed: 13/FEBRUARY/2002

For: **COATING COMPOSITIONS AND TEXTILE FABRICS COATED THEREWITH**

Attention: PCT Legal Staff
Assistant Commissioner for Patents
Washington, D.C. 20231
BOX PCT

CERTIFICATE UNDER 37 CFR 1.8(a)
I HEREBY CERTIFY THAT THIS
CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE
AS FIRST CLASS MAIL IN AN ENVELOPE
ADDRESSED TO ASSISTANT COMMISSIONER
FOR PATENTS, WASHINGTON, D.C. 20231.

BY

REG. NO.

DATE

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR
PATENT DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY
UNDER 37 CFR 1.137(B)**

Sir:

The above-identified application became abandoned as to the United States because the fees and documents required by 35 U.S.C. 371(c) were not filed prior to the expiration of the time set in 37 C.F.R. 1.494(b) or (c) or 1.495(b) or (c) as applicable). The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due.

Applicant hereby petitions for revival of this application.

A grantable petition requires the following items:

- (1) Petition fee;
- (2) Proper reply;
- (3) Terminal Disclaimer with disclaimer fee—required for all international applications

having an international filing date before June 8, 1995; and

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(4) Statement that the entire delay was unintentional.

1. A petition fee, (37 CFR 1.17(m)) other than small entity, namely \$1,280.00 for unintentional abandonment of an international application, is enclosed.
2. A proper reply (the missing 35 U.S.C. 371(c) requirement in the form of: Copies of the Demand for International Preliminary Examination to the European Patent Office, together with the proper fee paid for International Preliminary Examination are enclosed for the convenience of the Office. The Demand was timely filed on March 8, 2001 by the applicant, Dow Corning Limited, through its in-house counsel office. However, the office could not produce proof that it met the requirements of Rule 82 PCT, for proof of mailing. The Demand currently on file was deemed received by the European Patent Office on February 25, 2002, which was after 19 months from the priority date. However, the International Bureau was informed of the receipt of the Demand, and the international preliminary examination fees were paid, and has deemed that the European regional application will proceed under the new Rules.
3. Since this international application has an international filing date after June 8, 1995, no terminal disclaimer is required.
4. A statement declaring that the entire delay and cause of delay in filing the required reply (Demand), until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional, and which statement is attached hereto.

The entire delay in submitting the Demand and the payment of the Demand fee, from the date the fee was due, March 13, 2001, until the date of filing of this petition, May 22, 2002, was unintentional. Applicant respectfully submits herewith the required Statement, a check in the amount of \$1,280.00 to cover the petition fee, and requests that the application be revived.

PATENT

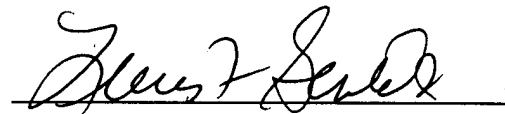
DOCKET NO. 3610-20

If any additional fee is required, please charge Deposit Account No. 04-1679.

Respectfully submitted,

Date: _____

May 23, 2012



Lewis F. Gould, Jr.

Registration No. 25,057

DUANE MORRIS LLP

One Liberty Place

Philadelphia, PA 19103

215-979-1282

Docket No. 3610-20

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BY *Lewis F. Gould, Jr.*
REG. NO. 25,057
DATE May 13, 2002

Sir:

STATEMENT OF LEWIS F. GOULD, JR.

I am an attorney registered to practice before the U.S. Patent and Trademark Office. I am familiar with the entire prosecution of this application. The due date for filing the Demand and Fee to request International Preliminary Examination of this application was March 13, 2001. The entire delay in filing the demand from the due date until the filing of the enclosed petition was unintentional.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: *May 13, 2002*

Lewis F. Gould, Jr.

Lewis F. Gould, Jr.
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